

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

CR. NO. 1:11-CR- 57

v.

(Judge Rambo )

JOSE NIEVES-GALARZA,

AKA "POPPI,"

Defendant.

FILED  
HARRISBURG

FEB 23 2011

MARY E. D'ANDREA, CLERK  
Per \_\_\_\_\_  
DEPUTY CLERK

INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT I

From on or about August 26, 201, and continuing to on or about  
September 2, 2010, in York County, within the Middle District of Pennsylvania,  
the defendant,

**JOSE NIEVES-GALARZA,**

knowingly and intentionally combined, conspired, confederated and agreed with  
other persons known and unknown to the Grand Jury, to commit the following

offense against the United States: to distribute and possess with the intent to distribute a quantity of cocaine hydrochloride, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Section 846.

**THE GRAND JURY FURTHER CHARGES THAT:**

**COUNT II**

From on or about August 26, 201, and continuing to on or about September 2, 2010, in York County, within the Middle District of Pennsylvania, the defendant,

**JOSE NIEVES-GALARZA,**

knowingly and intentionally distributed and possessed with the intent to distribute cocaine hydrochloride, a Schedule II controlled substance, and did aid and abet the same.

All in violation of Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code, Section 2.

**THE GRAND JURY FURTHER CHARGES THAT:**

**COUNT III**

On or about September 2, 2010, in York County, within the Middle District of Pennsylvania, the defendant,

**JOSE NIEVES-GALARZA,**

did knowingly possess a firearm in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, Distribution and Possession with the Intent to Distribute Cocaine Hydrochloride.

All in violation of Title 18, United States Code, Section 924(c)(1)(A).

**THE GRAND JURY FURTHER CHARGES THAT:**

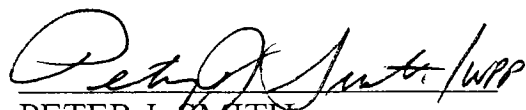
**COUNT IV**




On or about September 2, 2010, in York County, within the Middle District of Pennsylvania, the defendant,

**JOSE NIEVES-GALARZA,**

having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate commerce a firearm, that is, a Taurus, Millenium Pro, 9mm, and an Intratec, AB-10, 9mm.

All in violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and 924(e).

  
PETER J. SMITH  
United States Attorney

  
  
  
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Date